

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**RICHARD WOJTCZAK,**  
**Plaintiff,**

**v.**

**PENNSYLVANIA, DEP'T  
OF CORRECTIONS, et al.**  
**Defendants,**

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**No. 1:01-CV-1163**

**(Judge Rambo)**

**(Magistrate Judge Mannion)**

**(Electronically Filed)**

**ORDER**

**AND NOW**, this \_\_\_\_ day of \_\_\_\_\_, 2004, upon consideration of the motion of defendants Pennsylvania Department of Corrections, Beard, Kyler, Yarger, Everhart, and Walters, (hereinafter “the Commonwealth defendants”), for leave to respond to the surreply brief entitled “Plaintiff’s Response to Defendant’s Brief In Support of a Motion For Summary Judgement [sic] – Motion to Dismiss (Part 2),” it is hereby **ORDERED** that the Commonwealth defendants’ motion is **GRANTED**. Commonwealth defendants’ brief shall be limited to the new matter raised in plaintiff’s surreply brief and no additional briefs may be filed by either party. Commonwealth defendants’ brief shall be filed on or before \_\_\_\_\_, 2004.

**BY THE COURT:**

\_\_\_\_\_  
**MALACHY E. MANNION**  
**United States Magistrate Judge**

